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AP9 Rec'd PCT/PTO 07 FEB 2006

PATENT
5100-000032/US

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicants: Jozef Frans NELISSEN
Int'l App. No.: PCT/BE2004/000112
Application No.: **NEW APPLICATION**
Filed: February 7, 2006
For: **DEVICE FOR TREATING NIGHTTIME BREATHING PROBLEMS**

**INFORMATION DISCLOSURE STATEMENT
(SUBMISSION CONCURRENT WITH THE
FILING OF A NEW PATENT APPLICATION)**

Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314
Mail Stop PCT

February 7, 2006

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, applicant(s) hereby submit(s) an Information Disclosure Statement for consideration by the Examiner.

I. LIST OF PATENTS, PUBLICATIONS OR OTHER INFORMATION

The patents, publications, or other information submitted for consideration by the Office are listed on PTO-1449, attached hereto.

II. COPIES

- ☐ Submitted herewith is a legible copy of (i) each U.S. and foreign patent; (ii) each publication or that portion which caused it to be listed; and (iii) all other information or that portion which caused it to be listed.
- ☒ This application is a National Phase of a PCT application. All of the documents listed on the PTO-1449 are not enclosed because they were cited in the International Search Report and copies should be forwarded from the International Search Authority. If copies are needed, please contact the undersigned.

- ☐ Because the present application is being filed after June 30, 2003, no copies of the U.S. patents or U.S. patent application publications which are listed on the attached Form 1449 are enclosed pursuant to the waiver of 37 C.F.R. § 1.98(a)(2)(i). Any foreign patent documents or non-patent literature listed on the attached Form 1449 are enclosed herewith.

III. CONCISE EXPLANATION OF THE RELEVANCE
(check at least one box)

- a. ☐ **DOCUMENTS IN THE ENGLISH LANGUAGE**

The attached patents, publications, or other information in the English language do not require a statement of relevancy.

- b. ☒ **DOCUMENTS NOT IN THE ENGLISH LANGUAGE**

A concise explanation of the relevance of all patents, publications, or other information listed that is not in the English language is as follows:

Many of the documents have been discussed in the PCT Search Report, the PCT Preliminary Examination Report, and/or throughout the specification. The PCT Search Report and PCT Preliminary Examination Report, along with a German translation aid translating key terms into English, indicate the degree of relevance found by the PCT Office, thereby satisfying the requirement for a concise explanation. See MPEP 609(A)(3).

- c. ☐ **ENGLISH LANGUAGE SEARCH REPORT**

An English language version of the search report or action that indicates the degree of relevance found by the foreign office is attached, thereby satisfying the requirement for a concise explanation. See MPEP 609(A)(3).

- d. ☐ **OTHER**

The following additional information is provided for the Examiner's consideration.

Applicants include a German translation aid for translating terminology in the PCT Search Report and Examination Report to thereby satisfy Applicant's requirement for an English language translation thereof.

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IAPO Rec'd PCT/PTO 07 FEB 2006

New PCT National Phase Application
Docket No. 5100-000032/US

FEES

This Information Disclosure Statement is being filed concurrently with the filing of a new patent application; therefore, no fee is required.

If The Examiner has any questions concerning this IDS, he/she is requested to contact the undersigned. If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule and charge the appropriate fee to Deposit Account No. 08-0750.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY & PIERCE, P.L.C

By: _____

Donald J. Daley, Reg. No. 34,313

P.O. Box 8910
Reston, Virginia 20195
(703) 668-8000

DJD:dpg

Enclosures: ☒ Form PTO-1449(s)
☒ Documents

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|--|--|--|------------------------------------|--|------------------------|--|
| Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary) | | | ATTY DOCKET NO. 5100-000032/US | | APPLICATION NO. NEW | |
| | | | APPLICANTS Jozef Frans NELISSEN | | CONF. NO. Unknown | |
| | | | FILING DATE February 7, 2006 | | GROUP Unknown | |

| U.S. PATENT DOCUMENTS | | | | | | |
|-----------------------|-----------------|------------|------------------------|-------|--------------|-------------------------------|
| EXAMINER INITIAL | DOCUMENT NUMBER | DATE | NAME | CLASS | SUB CLASS | FILING DATE IF APPROPRIATE |
| | US 5,868,138 A | 02/09/1999 | Leonard Wayne HALSTROM | | | |
| | US 5,409,017 A | 04/25/1995 | Alan A LOWE | | | |
| | US 3,854,208 A | 12/17/1974 | ARANT | | | |
| | US 5,281,133 A | 01/25/1994 | Farrokh FARZIN-NIA | | | |
| | US 6,729,335 B1 | 05/04/2004 | Leonard Wayne HALSTROM | | | |
| | US 6,769,910 B1 | 05/04/2004 | Don A PANTINO | | | |
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| FOREIGN PATENT DOCUMENTS | | | | | | | |
|--------------------------|-----------------|------------|---------|-------|--------------|-------------|----|
| | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUB CLASS | TRANSLATION | |
| | | | | | | YES | NO |
| | EP 1247498 A | 10/09/2002 | EUROPE | | | | |
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| OTHER DOCUMENTS (Include Name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published. | | |
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| EXAMINER | DATE CONSIDERED |
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with M.P.E.P. 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

DJD:dpg